

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CARLOS BRYANT,)
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 Movant,)
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 v.) No. 4:11-CV-1900-JCH
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)
 UNITED STATES OF AMERICA,)
)
)
 Respondent.)

ORDER

This matter is before the Court upon movant's motion for leave to proceed in forma pauperis [Doc. #5].

Because there is no filing fee for a 28 U.S.C. § 2255 motion, movant need not be granted in forma pauperis status in order to maintain this action. See Rule 3, Advisory Committee Notes of the Rules Governing Section 2255 Proceedings. Thus, to the extent that movant is seeking leave to initiate this action in forma pauperis, his request is moot. Furthermore, a review of the file indicates that movant does not seek a determination as to his pauper status for any other reason (e.g., appointment of counsel, appeal in forma pauperis).

Accordingly,

IT IS HEREBY ORDERED that movant's motion for leave to proceed in forma pauperis [Doc. #5] is **DENIED**, without prejudice.

Dated this 16th day of December, 2011.

/s/Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE